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UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

JUSTIN CODY HARPER,  
Plaintiff,

v.

CITY OF REDLANDS, REDLANDS  
POLICE DEPARTMENT, POLICE  
OFFICER KOAHOU, and DOES 1  
through 10, inclusive,

Defendants.

Case No.: 5:23-CV-00695-SSS (KK)  
*Judge:* Hon. Sunshine S. Sykes

**[PROPOSED] ORDER GRANTING  
DEFENDANTS' MOTION FOR  
SUMMARY JUDGMENT**

Date: February 28, 2025  
Time: 2:00 p.m.  
Ctrm: 2

**TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:**

Defendants CITY OF REDLANDS and OFFICER KOAHOU's motion for summary judgment or, in the alternative, partial summary judgment came before the Court on regular notice at the above-stated date and time. After consideration of the papers on file, and after arguments of counsel, the Court concludes as follows:

1. Plaintiff has failed to carry his burden of demonstrating that he is entitled to relief on his first cause of action for excessive force;
2. Plaintiff has failed to carry his burden of demonstrating that he is entitled to relief on his second cause of action for battery;

- 1       3. Plaintiff has failed to carry his burden of demonstrating that he is entitled  
2                  to relief on his third cause of action for negligence;  
3       4. Plaintiff has failed to carry his burden of demonstrating that he is entitled  
4                  to relief on his fourth cause of action for negligent infliction of emotional  
5                  distress; and  
6       5. Plaintiff has failed to carry his burden of demonstrating that he is entitled  
7                  to relief on his fifth cause of action for Violation of California *Civil Code*  
8                  § 52.1 [Bane Act].

9                  Accordingly, Defendants' motion for summary judgment is GRANTED in  
10                 its entirety as to Defendants CITY OF REDLANDS and OFFICER KOAHOU.

11                  **IT IS SO ORDERED.**

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13 Dated: \_\_\_\_\_

14                  \_\_\_\_\_  
15                  HON. SUNSHINE S. SYKES,  
16                  UNITED STATES DISTRICT JUDGE

17                  Respectfully Submitted:

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